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| 09/063,289 | 04/21/98 | GAGNE | R T8463785US |

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| BASHORE,W | |
| ART UNIT | PAPER NUMBER |
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ROBERT P. STRATTON
GOWLING STRATHY & HENDERSON
SUITE4900
COMMERCE COURT WEST
TORONTO ON M5L 1J3
CANADA

AIR MAIL

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trad marks**

PTO-90C (Rev.11/00)

1- File Copy

# Office Action Summary

| Application No. | Applicant(s) |
|---|---|
| 09/063,289 | Gagne, Rejean |
| **Examiner** | **Art Unit** |
| William L. Bashore | 2176 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on *Dec 11, 2000*

2a) ☒ This action is **FINAL.** 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideratio

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-11* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

15) ☒ Notice of References Cited (PTO-892)
16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
18) ☐ Interview Summary (PTO-413) Paper No(s). _____
19) ☐ Notice of Informal Patent Application (PTO-152)
20) ☐ Other:

## DETAILED ACTION

1. This action is in response to communications: amendment filed on 12/11/2000 to the original application filed on 4/21/1998, IDS filed on 12/20/1999.

2. The objection to the title of the invention has been withdrawn as necessitated by amendment.

3. Claims 1-11 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Hill and Hamakawa.

4. Claims 1-11 are pending in this case. Claims 1, 4, 11 are independent claims.

### *Claim Rejections - 35 USC § 103*

5. **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. **Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hill, U.S. Patent No. 5,930,797 issued July 1999, in view of Hamakawa et al. (Hereinafter Hamakawa), Object composition and playback models for handling multimedia data, ACM Proceedings of the conference on Multimedia '93, August 2-6, 1993, pp.273-281.**

**In regard to independent claim 1,** Hill teaches positioning of a first clip object representing a first selected time-based data source, with respect to a time line, incorporating a start/duration time (Hill, column

4 lines 40-44, Figure 1 item (S1); compare with claim **1(i)** "*selecting a first time-based data source comprising a first data type from a selection of available data sources*", and **1(ii)** "*positioning a first clip object....for accessing said first time-based data source*").

Hill teaches selection and positioning of a second data-clip, comprising a different data type as compared to said first selected time-based data source (Hill, column 4 lines 30-35, Figure 1 item S2; compare with claim **1(iii)** "*selecting a second time-based data source....a different data type than said first time-based data source*", and **1(iv)** "*positioning a second clip object....for accessing said second time-based data source*").

Hill teaches non-linear editing (NLE), whereby one or more source clips are positioned in an editable graphical object utilizing start and duration times, and with said positioning relative both to each other, as well as to a time line (Hill, column 4 lines 43-45, 58-61, Figure 1). Even though Hill teaches the grouping of said data into NLE objects (Figure 1), Hill does not specifically teach a method of using an NLE object in cooperation with other objects, whereby said objects are positioned and re-mapped to a global time line. However, Hamakawa teaches an object composition model comprising multimedia objects, each with its own relative time line, temporally re-mapped with respect to a global time line in a box, utilizing "temporal glue" recalculation (Hamakawa p.274 column 1, Object Composition Model, sections: Temporal glue, Object hierarchy, relative location. Also see p.274 column 2, section Box, and p.275 Figure 4 (Box Example); compare with claim **1(v)** "*creating at least one meta-clip object representing....relative to the global time line*"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the method of Hamakawa to the method of Hill, because of Hamakawa's taught advantage of automatic temporal re-mapping of time lines within groupings of multimedia objects, providing increased convenience (due to the

elimination for precise time line locations, (Hamakawa p.277 column 2, near bottom) to the NLE method as taught by Hill.

Hill teaches that clip data can be selected and used as needed. Hill does not specifically teach a method of incorporating at least one meta-clip to a list of available resources. However, Hamakawa teaches a method incorporating a group of multimedia objects (Hamakawa p.275 Figure 4; compare with claim **1(vi)** "*adding said at least one meta-clip object to said list of available data sources*"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the method of Hamakawa to the method of Hill, because of Hamakawa's taught advantage of hierarchically categorized composite objects, providing an increased number of object types to be used by the NLE system as taught by Hill.

Hill teaches an editable object indicative of a media clip (Hill Figure 14 item S1), the length of said object reflecting a time comprising beginning and ending points of said clip (Hill Figure 14 item S1 beginning t=10.0, ending t=40.0). Hill does not specifically teach said clip indicative of a local time line distinct from a global time line. However, Hamakawa teaches a multimedia object composition model comprising a plurality of object oriented objects, each object encapsulated with its own distinct time line, with automatic time line calculation calculated (global) subsequent to composition (Hamakawa p.274 column 1 near bottom, to column 2 near top, also Figures 3, 4; compare with claim 1 "*...relative to the local time line...*", and "*...distinct from said local time line...*" ). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the method of Hamakawa to the method of Hill, because of Hamakawa's taught advantage of automatic temporal re-mapping of local time lines within groupings of multimedia objects comprising a global time line, providing increased convenience (due to the elimination for precise time line locations, (Hamakawa p.277 column 2, near bottom) to the NLE method as taught by Hill.

**In regard to dependent claim 2,** Hill teaches non-linear editing (NLE), whereby one or more source clips are positioned in an editable graphical object utilizing start and duration times, and with said positioning relative to a time line (Hill, column 4 lines 43-45, 58-61, Figure 1). Hill in view of Hamakawa teach the incorporation of composite data objects. Hill does not specifically teach a method of incorporating a meta-clip object in cooperation with other objects, whereby said objects within a meta-clip object are mapped to said meta-clip object, and in turn, mapped to a global time line. However, Hamakawa teaches an object composition model comprising multimedia objects, each with its own relative time line, temporally re-mapped with respect to a global time line in a box, utilizing "temporal glue" recalculation (Hamakawa p.274 column 1, Object Composition Model, sections: Temporal glue, Object hierarchy, relative location. See also p.274 column 2, section Box, and p.275 Figure 4 (Box Example); compare with claim 2). In addition, Hamakawa incorporates said composite objects within other composite objects in the form of a composite hierarchy, whereby all relative time lines are re-calculated as needed (Hamakawa p.274 Figure 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the method of Hamakawa to the method of Hill in view of Hamakawa, because of Hamakawa's taught advantage of hierarchical temporal re-mapping of time lines within groupings of multimedia composite objects, providing increased convenience (due to the elimination for precise time line locations - Hamakawa p.277 column 2, near bottom) to the NLE and composite object methods as taught by Hill in view of Hamakawa.

**In regard to dependent claim 3,** Hill teaches incorporating filters and effects, which can be positioned and manipulated within the invention as taught by Hill (Hill column 1 lines 25-29; compare with claim 3). Claim 3 would have been obvious to one of ordinary skill in the art at the time of the invention, in

view of Hill, because of Hill's taught advantage of editable filters and effects, which in turn are examples of special effects applied to media editing systems (NLE) as taught by Hill.

**In regard to independent claim 4,** Hill teaches positioning of a first clip object representing a first selected time-based data source, with respect to a time line, incorporating a start/duration time (Hill, column 4 lines 40-44, Figure 1 item (S1); compare with claim **4(i)** "*creating at least one meta-clip object*", and **4(i)** "*a first clip object representing a first time based data source selected from a list of available data sources, and a second clip object representing a second time based data source selected from the list of available data sources*").

Hill teaches selection and positioning of a second data-clip, comprising a different data type as compared to said first selected time-based data source, and with start/stop times (Hill, column 4 lines 30-35, Figure 1 item S2; compare with claim **4(i)** "*the second data source being of a different data type than the first data source*", and **4(i)** "*a respective start time and duration* " ).

Hill teaches an editable object indicative of a media clip (Hill Figure 14 item S1), the length of said object reflecting a time comprising beginning and ending points of said clip (Hill Figure 14 item S1 beginning t=10.0, ending t=40.0). Hill does not specifically teach said clip indicative of a local time line distinct from a global time line. However, Hamakawa teaches a multimedia object composition model comprising a plurality of object oriented objects, each object encapsulated with its own distinct time line, with automatic time line calculation calculated (global) subsequent to composition (Hamakawa p.274 column 1 near bottom, to column 2 near top, also Figures 3, 4; compare with claim **4(i)** "a respective local time line distinct from the global time line", and **4(i)** "*clip objects being positioned relative to the local time line*"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the method

of Hamakawa to the method of Hill, because of Hamakawa's taught advantage of automatic temporal re-mapping of local time lines within groupings of multimedia objects comprising a global time line, providing increased convenience (due to the elimination for precise time line locations, (Hamakawa p.277 column 2, near bottom) to the NLE method as taught by Hill.

Hill teaches that clip data can be selected and used as needed. Hill does not specifically teach a method of incorporating at least one meta-clip to a list of available resources. However, Hamakawa teaches a method incorporating a group of multimedia objects (Hamakawa p.275 Figure 4; compare with claim **4(ii)** "*adding said at least one meta-clip object to said list of available data sources*"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the method of Hamakawa to the method of Hill, because of Hamakawa's taught advantage of hierarchically categorized composite objects, providing an increased number of object types to be used by the NLE system as taught by Hill.

Hill teaches non-linear editing (NLE), whereby one or more source clips are positioned in an editable graphical object utilizing start and duration times, and with said positioning relative both to each other, as well as to a time line (Hill, column 4 lines 43-45, 58-61, Figure 1; compare with claim **4(iii)** "*selecting at least one of the meta-clip objects from said list....the global time line*").

Hill does not specifically teach a method of using an NLE object in cooperation with other objects, whereby said objects are positioned and re-mapped to a global time line according to respective local time lines. However, Hamakawa teaches an object composition model comprising multimedia objects, each with its own time line, temporally re-mapped with respect to a global time line in a box, utilizing "temporal glue" recalculation (Hamakawa p.274 column 1, Object Composition Model, sections: Temporal glue, Object hierarchy, relative location. Also see p.274 column 2, section Box, and p.275 Figure 4 (Box Example); compare with claim **4(iv)** "*re-mapping to the global time line the start time....relative to the global time*

*line*" ). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the method of Hamakawa to the method of Hill, because of Hamakawa's taught advantage of automatic temporal re-mapping of time lines within groupings of multimedia objects, providing increased convenience (due to the elimination for precise time line locations, (Hamakawa p.277 column 2, near bottom) to the NLE method as taught by Hill.

**In regard to dependent claim 5,** claim 5 incorporates substantially similar subject matter as claimed in claim 2, and is rejected along the same rationale.

**In regard to dependent claim 6,** claim 6 incorporates substantially similar subject matter as claimed in claim 3, and is rejected along the same rationale.

**In regard to dependent claim 7,** claim 7 incorporates substantially similar subject matter as claimed in claim 3, and in further view of the following, is rejected along the same rationale.

Hill teaches a method of incorporating filters and effects, which can be positioned and manipulated within an edit track (Hill Figure 1). Hill does not specifically teach a method of incorporating filters and effects to at least one meta-clip object. However Hamakawa teaches a method of composite objects incorporating media clips with relative time lines (Hamakawa p.275 Figure 4; compare with claim 7). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the method of Hamakawa to the method of Hill, because of Hamakawa's taught advantage of composite objects, providing an additional object type (including tracks) for the incorporation of filters and effects, as taught by Hill.

**In regard to dependent claim 8,** Hill does not specifically teach the use of operator(s) to modify data from each time-based data source in a meta-clip. However, Hamakawa teaches a method of a composite object "Box", incorporating a conglomeration of different media object types along with relative time lines assigned per said type, with said Box incorporated as a composite object within a hierarchy of objects (Hamakawa p.274 Figure 3, and p.275 Figure 4; compare with claim 8). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the method of Hamakawa to the method of Hill, because of Hamakawa's taught advantage of composite objects, providing a conglomeration of track types available for the incorporation of filters and effects, as taught by Hill.

**In regard to dependent claim 9,** Hill does not specifically teach a method of examining each clip object represented by a meta clip object to determine any portion is outside of an altered duration. However, Hill teaches a method of clipping and stretching, whereby a clip is shortened or lengthened to reduce/increase its length (Hill column 4 lines 50-55; compare with claim 9(a)). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the method of Hill to the method of Hill in view of Hamakawa, because of Hill's taught advantage of clipping/stretching, providing a means for altering various clips within composite objects as taught by Hill and Hamakawa.

Hill teaches a method of marking a media track with a mask, for the purpose of rendering portions of a clip inside said mask as active, and portions outside of said mask as inactive (Hill column 1 lines 50-60; compare with claim 9(b)). Claim 9(b) would have been obvious to one skilled in the art at the time of the invention in view of Hill, because of Hill's taught advantage of masking, providing a means for rendering clip portions active/inactive with respect to non-linear editing as taught by Hill and Hamakawa.

**In regard to dependent claim 10,** claim 10 is rejected using the Examiner's argument and rationale as set forth in the rejection of claim 9.

**In regard to independent claim 11,** the limitation of "*...time based data of at least two differing data types...*" (claim **11** preamble), would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Hill, because Hill's teaching of a NLE system comprising one or more tracks, such as video, as well as left and right audio tracks, suggests a plurality of diverse data tracks (Hill column 4 lines 30-35).

A computer comprising a storage device (ie. hard drive), a CPU, a display screen, and an input device (ie. mouse) used for implementation of Hill's NLE editor are all known in the art (compare with claim **11** "a storage device...", "*a computer operatively connected...*", "*at least one output device...*", and "*at least one input device...*".

Hill teaches positioning of a first clip object representing a first selected time-based data source, with respect to a time line, incorporating a start/duration time (Hill, column 4 lines 40-44, Figure 1 item (S1); compare with claim **11(a)** "*creating with the computer at least one meta-clip object*", and **11(a)** "*a first object representing a first one of the stored data sources, a second object representing a second one*").

Hill teaches selection and positioning of a second data-clip, comprising a different data type as compared to said first selected time-based data source, and with start/stop times (Hill, column 4 lines 30-35, Figure 1 item S2; compare with claim **11(a)** "*the second data source being of a different data type than the first data source*", and **11(a)** "*a respective start time and duration* " ).

Hill teaches an editable object indicative of a media clip (Hill Figure 14 item S1), the length of said object reflecting a time comprising beginning and ending points of said clip (Hill Figure 14 item S1

beginning t=10.0, ending t=40.0). Hill does not specifically teach said clip indicative of a local time line distinct from a global time line. However, Hamakawa teaches a multimedia object composition model comprising a plurality of object oriented objects, each object encapsulated with its own distinct time line, with automatic time line calculation calculated (global) subsequent to composition (Hamakawa p.274 column 1 near bottom, to column 2 near top, also Figures 3, 4; compare with claim **11(a)** "*each comprising a respective local time line*", and **11(a)** "*clip objects being positioned relative to the local time line*"). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the method of Hamakawa to the method of Hill, because of Hamakawa's taught advantage of automatic temporal re-mapping of local time lines within groupings of multimedia objects comprising a global time line, providing increased convenience (due to the elimination for precise time line locations, (Hamakawa p.277 column 2, near bottom) to the NLE method as taught by Hill.

Hill teaches non-linear editing (NLE), whereby one or more source clips are selected and positioned in an editable graphical object utilizing start and duration times, and with said positioning relative both to each other, as well as to a time line (Hill, column 4 lines 43-45, 58-61, Figure 1; compare with claim **11(b)** "*selecting with the computer at least one of the meta-clip objects*").

Hill does not specifically teach a method of using an NLE object in cooperation with other objects, whereby said objects are positioned and re-mapped to a global time line according to respective local time lines. However, Hamakawa teaches an object composition model comprising multimedia objects, each with its own time line, temporally re-mapped with respect to a global time line in a box, utilizing "temporal glue" recalculation (Hamakawa p.274 column 1, Object Composition Model, sections: Temporal glue, Object hierarchy, relative location. Also see p.274 column 2, section Box, and p.275 Figure 4 (Box Example); compare with claim **11(c)** "*define with the computer....and said global time line*" ). It would have been

obvious to one of ordinary skill in the art at the time of the invention to apply the method of Hamakawa to the method of Hill, because of Hamakawa's taught advantage of automatic temporal re-mapping of time lines within groupings of multimedia objects, providing increased convenience (due to the elimination for precise time line locations, (Hamakawa p.277 column 2, near bottom) to the NLE method as taught by Hill.

7. **Prior art made of record and not relied upon is considered pertinent to disclosure.**

| | | | |
|---|---|---|---|
| Zamiska et al. | U.S. Patent No. 6,157,929 | issued | December 2000 |
| Boezeman et al. | U.S. Patent No. 5,889,514 | issued | March 1999 |
| Moran et al. | U.S. Patent No. 5,717,879 | issued | February 1998 |
| Petelycky et al. | U.S. Patent No. 6,204,840 | issued | March 2000 |

***Response to Arguments***

8. Applicant's arguments filed 12/11/2000 have been fully and carefully considered but they are not persuasive.

It is noted that since Applicant's arguments regarding independent claims 4 and 11 are similar to those of claim 1. Accordingly, the Examiner's responses are substantially directed towards independent claim 1.

Applicant argues on page 7 of the amendment (near bottom) that Hill does not teach the limitations of claim 1 (also repeated on page 9 of the amendment, at bottom) . The Examiner agrees that Hill teaches media containers comprising source objects and/or filter effects disposed to a global time line. Hill, as shown in Figures 1, 4-5, 10, 12 clearly teaches graphical representations of positional media clips in a non-linear editing (NLE) environment. It is noted, however, that Hill does suggest time relevancy regarding each clip representation. Figure 1 of Hill shows a global time line of t0 to t9 (item 24), with clip S2 shown from time t2 to t8 (relative to said global time line). Time mask (item 32) is subsequently applied to clip S2 to make it active for a set period of time. From the global time line viewpoint, said time mask renders S2 active from

time t2 to time t7, which is roughly the middle of the global time line. However, from clip S2s viewpoint, time t2 to time t7 is indicative of the first 5/6 of the clip's length, which suggests to one of ordinary skill in the art a separate time line, dependent upon which viewpoint is being considered. Instead of relying directly on this teaching, however, the Examiner instead uses Hamakawa to teach multimedia objects with local time lines distinct from a global time line.

Applicant further argues on page 8 (near top) of the amendment that Hill does not teach persistent storage of object containers. The Examiner respectfully disagrees. Hill teaches that a container, in addition to comprising objects, effects, etc., also comprises a multiplexer ( layer MUX) which maintains a record of the objects in the layer of the container, said record outputs made available at any time (Hill column 6 lines 54-61). This teaching, at the very least, suggests to one of ordinary skill in the art to save editing sessions for later use.

Applicant argues on page 8 (bottom paragraph) that Hamakawa does not teach the limitations of claim 1. In response to applicant's argument regarding the Hamakawa reference, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). In this case, the Examiner uses Hill to essentially teach editing and positioning of multimedia clips in a non-linear editing embodiment. Hamakawa is used by the Examiner to teach multimedia objects (media clips) containing multimedia data. It is to be noted that the Object Hierarchy diagram (Hamakawa Figure 3), reflects an object oriented paradigm. Thus, each "object" contains encapsulated data. Hamakawa's teaching of a "*time length of each object*" (Hamakawa p.274 column 1, heading: Object hierarchy (near bottom of page)), suggests a time line for each

said object. The distinction between these time lines and a global time line is reinforced by the hierarchy model, itself. Each separate time line is determined when a higher ranking object is determined. Therefore, each object's time line is not only related to other object's time lines, but is also related by way of inheritance, to the time line of the highest ranking object (the root object in Figure 3). The Examiner applies the teachings of Hamakawa to the NLE clips of Hill. Specifying the location of each object relative to each other reveals (by way of object oriented inheritance) time line relationships between said objects and the highest ranking object, which is indicative of a global time line.

Applicant further argues on page 10 (entire page) of amendment, that Hamakawa does not teach re-mapping of time lines relative to a global time line. The Examiner notes that even though (as Applicant points out) "Hamakawa makes use of relative locations in time and space between objects to remap the objects to a common global time line", separate time lines are still involved and are used (using inheritance) to ultimately reflect dependancy upon a global time line, after re-mapping.

Applicant argues (from page 11 to page 12) of the amendment the disadvantages and incompatibilities of combining the cited references. As was discussed above, the Examiner repeats that the test for obviousness is ultimately what the combined teachings of the references would have suggested to those of ordinary skill in the art.

***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened

statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William Bashore whose telephone number is **(703) 308-5807**. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on **(703) 308-5186**. The fax number to this art unit is **(703) 308-6606**.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is **(703) 305-3900**.

11. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**or:**

(703) 305-9724 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

**Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).**

William L. Bashore
5/3/2001

HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100